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10/700,028	11/03/2003	Donald E. Smith	03-8008	3407

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VERIZON
PATENT MANAGEMENT GROUP
1515 N. COURTHOUSE ROAD
SUITE 500
ARLINGTON, VA 22201-2909

EXAMINER

OUELLETTE, JONATHAN P

ART UNIT	PAPER NUMBER
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3629

NOTIFICATION DATE	DELIVERY MODE
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05/16/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/700,028	Applicant(s) SMITH, DONALD E.	
	Examiner Jonathan Ouellette	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Claim 8 has been cancelled; therefore, Claims 1-7 and 9-17 are currently pending in application 10/700,028.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 11, and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Burnstein et al. (US 2002/0032735 A1).**
2. As per **independent Claim 11**, Burnstein discloses a computer-readable medium containing a plurality of instructions that, when executed by at least one processor, causes said at least one processor to perform a method for inter-connecting through a communications network a plurality of customers who are associated with a service provider and share a common interest (Abstract, Figs.1-2, Para 0034-0039), said method comprising: allowing said plurality of customers to have access to a domain associated with said service provider (Fig.11); accepting data from at least one of said plurality of customers, verifying a true identity of said at least one of said plurality of customers

based at least a portion of said data (Para 0056); mapping said true identity to an alias (anonymous user ID) associated with said at least one of said plurality of customers (Para 0036); and allowing others of said plurality of customers with access to said domain to have access only to said alias while keeping said true identity in confidence (Para 0034-0036).

3. As per Claim 13, Burnstein discloses including storing said domain and information about those of said plurality of customers having access to said domain.
4. As per Claim 14, Burnstein discloses wherein said allowing includes a server coupled to said communications network.
5. As per Claim 15, Burnstein discloses wherein said at least one of said plurality of customers uses a web browser to access said domain.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
7. **Claims 1-7, 9, 10, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burnstein et al. (US 2002/0032735 A1) in view of Munsil et al. (US 5,761,650), and further in view of Carter et al. (US 2005/0068983 A1).**

8. As per **independent Claims 1, 9, and 17**, Burnstein discloses a method for connecting a plurality of customers sharing a common interest and using a domain accessible through a communications network, each of said plurality having and an account associated with a service provider, said service provider communicatively linked to said domain, said method comprising: notifying said each of said plurality about said domain (Abstract, Figs.1-2, Para 0034-0039); providing said each of said plurality with access to said domain; and allowing at least a subset of said plurality of customers to communicate with each other using said domain while not disclosing true identity of each customer of said subset to others of said plurality, said alias being made available to others of said subset to identify respective ones of said subset (Abstract, Figs.1-2, Para 0034-0039).
9. While Burnstein does disclose inviting customers to participate in an online community (Abstract, Para 0034-0037), Burstein fails to expressly disclose wherein said plurality of customers has a billing address, and notifying said each of said plurality about said domain by including information in a billing statement for said each of said plurality.
10. However, Munsil discloses tracking customer billing information and account information (C3 L57-61), and providing customers with information, messages and notices by including the information in a billing statement dedicated for the customer (C3 L17-24).
11. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein said plurality of customers has a billing address, and notifying said each of said plurality about said domain by including information in a billing statement for said each of said plurality, as disclosed by Munsil in

the system disclosed by Burstein (See KSR [127 S Ct. at 1739] “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”).

12. Burnstein and Munsil fail to expressly disclose randomly associating, through operation of a server, said true identity of said each customer of said subset with a respective alias.

13. However, Carter discloses randomly generating alias identity information for community users (Para 0039).

14. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included randomly associating, through operation of a server, said true identity of said each customer of said subset with a respective alias, as disclosed by Carter in the system disclosed by Munsil, in the system disclosed by Burstein (See KSR [127 S Ct. at 1739] “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”).

15. As per Claim 2, Burnstein, *Munsil*, and Carter disclose wherein said notifying further includes mailing said billing statement to each of said plurality (Munsil, C3 L11-14).

16. As per Claim 3, *Burnstein*, Munsil, and Carter disclose wherein said notifying further includes providing said plurality with a universal resource locator (URL), said URL for allowing said plurality access to said domain.

17. As per Claim 4, *Burnstein*, Munsil, and Carter disclose wherein said access means includes a server associated with a URL and made available to said plurality of customers, said server facilitating access to said domain by said plurality.

18. As per Claim 5, *Burnstein*, Munsil, and Carter disclose wherein said addresses are used in establishing said subset of said plurality.
19. As per Claim 6, *Burnstein*, Munsil, and Carter disclose wherein said domain is only accessible to those of said plurality sharing said common interest.
20. As per Claim 7, *Burnstein*, Munsil, and Carter disclose wherein said providing further requires that said each of said plurality enter a password to gain access to said domain.
21. As per Claim 10, *Burnstein*, Munsil, and Carter disclose wherein said server further comprises: storage means for archiving said domain and information about said at least one of said plurality and said other of said plurality having access to said domain; and interaction for allowing said other of said plurality having access to said domain to communicate with each other and with said at least one of said plurality using their respective aliases.
22. **Claims 12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burnstein in view of Munsil.**
23. As per Claim 12, While Burnstein does disclose inviting customers to participate in an online community (Abstract, Para 0034-0037), Burnstein fails to expressly disclose notifying said plurality of customers about said domain by including information in a billing statement associated with said service provider.
24. However, Munsil discloses providing customers with information, messages and notices by including the information in a billing statement dedicated for the customer (C3 L17-24).

25. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included notifying said plurality of customers about said domain by including information in a billing statement associated with said service provider, as disclosed by Munsil in the system disclosed by Burnstein (See KSR [127 S Ct. at 1739] “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”).
26. As per **independent Claims 16**, Burnstein discloses a data display for displaying information about a domain to a customer associated with a service provider, said customer having been notified about an address associated with said domain by said service provider, said domain being made available to said customer for facilitating communication with persons having a common interest with said customer, said data display comprising: a logon field for receiving input data from said customer, said input data for establishing an identity of said customer; an alias field for displaying an alias associated with said customer, said alias further being made available to persons having access to said domain and sharing said common interest with said customer; and a selection field allowing said customer to choose a topic of interest, said topic of interest being linked to at least a subset of said persons sharing said common interest with said customer.
27. While Burnstein does disclose inviting customers to participate in an online community (Abstract, Para 0034-0037), Burnstein fails to expressly disclose wherein the customer is notified about an address associated with said domain by said service provider by way of a billing statement.

28. However, Munsil discloses providing customers with information, messages and notices by including the information in a billing statement dedicated for the customer (C3 L17-24).
29. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein the customer is notified about an address associated with said domain by said service provider by way of a billing statement, as disclosed by Munsil in the system disclosed by Burstein (See KSR [127 S Ct. at 1739] “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”).

Response to Arguments

30. Applicant's arguments filed on 1/29/2008, with respect to Claims 1-7 and 9-17, have been considered but are moot in view of the new ground(s) of rejection.
31. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
32. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
34. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
35. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.

May 15, 2008

/Jonathan Ouellette/

Primary Examiner, Art Unit 3629